

BEFORE THE

ORIGINAL

Federal Communications Commission

WASHINGTON, D.C. 20554

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AUG 25 1998

In the Matter of)

1998 Biennial Regulatory Review -)

Amendment of Part 18 of the)

Commission's Rules to Update)

Regulations for RF Lighting Devices)

FEDERAL COMMUNICATIONS COMMISSION

ET Docket No. 98-42
OFFICE OF THE SECRETARY

To: The Commission

REPLY COMMENTS OF THE U.S. GPS INDUSTRY COUNCIL

The U.S. GPS Industry Council (the "Council"), by its attorneys, responds herein to comments submitted in connection with the Commission's Biennial Regulatory Review of Part 18 of its rules.^{1/} Among other things, the Commission has proposed rule changes in this NPRM directed toward facilitating use of a new generation of RF microwave lighting equipment. The Council believes that introduction of such equipment should not be permitted unless existing services can be fully protected from potentially harmful out-of-band emissions.

^{1/} See Notice of Proposed Rulemaking, 13 FCC Rcd 11307 (1998) ("NPRM").

While the Council understands the Commission's obligation to promote new technologies when consistent with the public interest, it is concerned that the Commission take into account the potential harm to existing, vitally important services from out-of-band transmissions that may result from the more powerful RF lighting devices anticipated by this proceeding. Specifically, the Council believes that the Commission must avoid authorizing increases in out-of-band emissions for RF lighting or other ISM equipment that could cause harmful interference to Global Positioning System (GPS) devices operating in the frequencies below 1605 MHz.^{2/}

In this connection, the Council has reviewed the initial comments filed in this docket, including those submitted by the United States Coast Guard. In its

^{2/} The Council is a non-profit 501(c)(6) industry trade association created to serve as an information resource on GPS to the Government, the media, and the public. The Council's purpose is to promote sound policies for the development of commercial markets in civilian application of GPS, while maintaining its utility for sensitive military applications. Current membership of the Council includes the principal U.S. manufacturers of GPS equipment - e.g., Boeing, Honeywell, Magellan/Ashtech, Rockwell International, and Trimble Navigation. The Council thus represents a significant sampling of the hundreds of manufacturers of GPS equipment and the millions of users of GPS signals.

Comments, the Coast Guard notes that the out-of-band emissions standards proposed by the Commission "may not be adequate to protect the Global Navigation Satellite System ("GNSS") band (1559-1605 MHz)."^{3/} It goes on to specifically note that its own use of GNSS, including GPS, encompasses reliance for safe navigation of ships in offshore and inland waters.

The Coast Guard also observes that the Commission has pending before it a petition filed by the National Telecommunications and Information Administration ("NTIA") which requests that the Commission formally adopt emission limits for mobile-satellite service ("MSS") Earth terminals capable of producing out-of-band emissions on frequencies used by GPS receivers.^{4/} Recently, the Commission has indicated that it intends to use the NTIA-proposed emissions limitation as an interim standard for certification of MSS transceivers under the Global Mobile Personal Communications

^{3/} See Coast Guard Comments at 1.

^{4/} See Letter from Richard D. Parlow, Associate Administrator, Spectrum Management, NTIA, to Regina Keeney, Chief, International Bureau, FCC, dated September 18, 1997, RM-9165 ("NTIA Petition").

by Satellite Memorandum of Understanding.^{5/} While the Coast Guard approves of this approach, and suggests that the proposed limits be extended to RF lighting devices,^{6/} the Council believes that the safety-of-life applications that utilize GPS are too important to place at risk under an interim standard that has not yet been adequately tested. Rather than adopt a limit for out-of-band emissions that is based on very little empirical study, the Commission should proceed both here and in the NTIA-initiated rulemaking to adopt final emissions standards that will appropriately protect users of the radionavigation bands, particularly GPS. As the Council recently commented in GEN Docket 98-68, the long-standing commitment of the U.S. Government to the integrity of GPS ought to require that strenuous measures be taken before new uses are approved for introduction to ensure that GPS is not disrupted by new uses of adjacent bands.^{7/}

^{5/} See Notice of Proposed Rule Making in GEN Dkt. No. 98-68, FCC 98-92, slip op. at 18 (¶ 45) (released May 18, 1998).

^{6/} See Coast Guard Comments at 2.

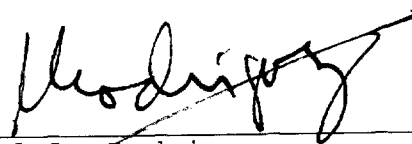
^{7/} See Comments of the U.S. GPS Industry Council, GEN Docket
(continued...)

Accordingly, the Council urges the Commission to take into account in this proceeding the information already available to it in GEN Dkt. No. 98-68 and adopt out-of-band emissions standards that preserve the existing level of signal integrity for GPS operations in the 1559-1605 MHz bands.

Respectfully submitted,

U.S. GPS INDUSTRY COUNCIL

By:



Raul R. Rodriguez
Stephen D. Baruch
David S. Keir

Leventhal, Senter & Lerman, PLLC
2000 K Street, N.W.
Suite 600
Washington, D.C. 20006
(202) 429-8970

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Its Attorneys

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Np. 98-68, at 9-10 (filed July 27, 1998).